

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

<p>IN RE PORK ANTITRUST LITIGATION</p> <p>This Document Relates To: ALL ACTIONS</p>	<p>Civil No. 18-1776 (JRT/HB)</p> <p><b><u>STIPULATION REGARDING PRETRIAL SCHEDULING ORDER</u></b></p>
---	--

---

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Rule 16.3 of the Local Civil Rules of the United States District Court for District of Minnesota, the Parties in the above-referenced matter, by and through their undersigned counsel, jointly request that the Court enter the below Pretrial Scheduling Order (“Scheduling Order”) setting the following deadlines that will apply equally to all parties:

<b><u>Event</u></b>	<b><u>Deadline</u></b>
Parties to begin meet-and-confer regarding production of deferred RFPs	November 2, 2020
Parties to begin meet and confer on any deferred disputes concerning RFPs, custodians, or non-custodial data sources (but not structured data)	
Parties to begin meet and confer on production of structured data	November 17, 2020
Deadline for parties to complete meet and confer regarding search methodology order, including whether such an order is necessary. If the parties reach an impasse, they will submit a joint letter brief to the Court on this date.	November 20, 2020

<u>Event</u>	<u>Deadline</u>
Parties to complete meet and confer on any deferred disputes concerning RFPs, custodians, or non-custodial data sources, and submit proposed briefing schedule regarding any disputes	November 23, 2020
Parties to Serve Amended Objections and Responses to First Set of Requests for Production of Documents	November 23, 2020
Parties begin rolling production of Readily Available Responsive Phone Records for Agreed Document Custodians and Central Phone Lines, with production complete 30 days later	November 23, 2020 through December 23, 2020
Production of responsive, readily-accessible Agri Stats reports from centrally-located files	December 16, 2020
Deadline for Producing Party to notify Requesting Party of intent to use search terms and disclose initial search terms (or other search methodology process), for all custodians agreed-to by the November 23 deadline above	December 18, 2020
Deadline to complete search term negotiations, and submit proposed briefing schedule regarding any disputes	January 8, 2021
Deadline to reach agreement on production of structured data or seek relief from the court	January 16, 2021
Commencement of Rolling Production of Documents Reviewed by Producing Party	March 16, 2021
Substantial Completion of Document and Structured Data Productions	September 1, 2021

Dated: November 4, 2020

/s/ Bobby Pouya

Bobby Pouya  
Clifford H. Pearson  
Daniel L. Warshaw  
Michael H. Pearson  
PEARSON SIMON & WARSHAW, LLP  
15165 Ventura Boulevard, Suite 400  
Sherman Oaks, CA 92403  
Telephone: (818) 788-8300  
Facsimile: (818) 788-8104  
cpearson@pswlaw.com  
dwarshaw@pswlaw.com  
bpouya@pswlaw.com  
mpearson@pswlaw.com

Melissa S. Weiner (MN #0387900)  
Joseph C. Bourne (MN #0389922)  
PEARSON, SIMON & WARSHAW, LLP  
800 LaSalle Avenue, Suite 2150  
Minneapolis, MN 55402  
Telephone: (612) 389-0600  
Facsimile: (612) 389-0610  
mweiner@pswlaw.com  
jbourne@pswlaw.com

Bruce L. Simon  
PEARSON, SIMON & WARSHAW, LLP  
350 Sansome Street, Suite 680  
San Francisco, CA 94104  
Telephone: (415) 433-9000  
Facsimile: (415) 433-9008  
bsimon@pswlaw.com

/s/ Arielle S. Wagner

Arielle S. Wagner (MN #0398332)  
W. Joseph Bruckner (MN #0147758)  
Brian D. Clark (MN #0390069)  
Craig S. Davis (MN #0148192)  
Simeon A. Morbey (MN #0391338)  
Stephen M. Owen (MN # 0399370)  
Stephanie A. Chen (MN #0400032)  
LOCKRIDGE GRINDAL NAUEN P.L.L.P.  
100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401  
Telephone: (612) 339-6900  
Facsimile: (612) 339-0981  
aswagner@locklaw.com  
wjbruckner@locklaw.com  
csdavis@locklaw.com  
bdclark@locklaw.com  
samorbey@locklaw.com  
smowen@locklaw.com  
sachen@locklaw.com

*Co-Lead Class Counsel for Direct Purchaser Plaintiffs*

/s/ Shana E. Scarlett

Shana E. Scarlett  
HAGENS BERMAN SOBOL SHAPIRO LLP  
715 Hearst Avenue, Suite 202  
Berkeley, CA 94710  
Telephone: (510) 725-3000  
Facsimile: (510) 725-3001  
shanas@hbsslaw.com

Steve. W. Berman  
Breanna Van Engelen  
HAGENS BERMAN SOBOL SHAPIRO LLP  
1301 2nd Avenue, Suite 2000  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
steve@hbsslaw.com  
breannav@hbsslaw.com

/s/ Daniel E. Gustafson

Daniel E. Gustafson (#202241)  
Daniel C. Hedlund (#258337)  
Michelle J. Looby (#388166)  
Britany N. Resch (#0397656)  
GUSTAFSON GLUEK PLLC  
120 South 6th Street, Suite 2600  
Minneapolis, MN 55402  
Telephone: (612) 333-8844  
Facsimile: (612) 339-6622  
dgustafson@gustafsongluek.com  
dhedlund@gustafsongluek.com  
mlooby@gustafsongluek.com  
bresch@gustafsongluek.com

***Co-Lead Counsel for Consumer Indirect Purchaser Plaintiffs***

/s/ Shawn M. Raiter

Shawn M. Raiter (MN# 240424)  
LARSON • KING, LLP  
2800 Wells Fargo Place  
30 East Seventh Street  
St. Paul, MN 55101  
Telephone: (651) 312-6518  
sraiter@larsonking.com

Jonathan W. Cuneo  
Joel Davidow  
Blaine Finley  
Yifei "Evelyn" Li  
CUNEO GILBERT & LADUCA, LLP  
4725 Wisconsin Avenue NW, Suite 200  
Washington, DC 20016  
Telephone: (202) 789-3960  
jorc@cuneolaw.com  
joel@cuneolaw.com  
bfinley@cuneolaw.com  
evelyn@cunelolaw.com

***Co-Lead Counsel for Commercial and Institutional Indirect Purchaser Plaintiffs***

/s/ Kyle G. Bates  
Kyle G. Bates (USDCPR-306412)  
Todd M. Schneider  
Matthew S. Weiler  
**SCHNEIDER WALLACE COTTRELL**  
**KONECKY LLP**  
2000 Powell St., Suite 1400  
Emeryville, California 94608  
Telephone: (415) 421-7100  
Facsimile: (415) 421-7105  
kbates@schneiderwallace.com  
tschneider@schneiderwallace.com  
mweiler@schneiderwallace.com

/s/ Patrick J. Ahern  
Patrick J. Ahern  
**AHERN AND ASSOCIATES, P.C.**  
Willoughby Tower  
8 South Michigan Ave., Suite 3600  
Chicago, IL 60603  
Telephone: (312) 404-3760  
patrick.ahern@ahernandassociatespc.com

*Counsel for Direct Action Plaintiffs*  
**Winn-Dixie Stores, Inc. and Bi-Lo Holdings, LLC**

Peter B. Schneider  
**SCHNEIDER WALLACE COTTRELL**  
**KONECKY LLP**  
3700 Buffalo Speedway, Suite 300  
Houston, Texas 77098  
Telephone: (713) 338-2560  
Facsimile: (415) 421-7105  
pschneider@schneiderwallace.com

Ines Carrau Martinez  
Attorney General

Johan M. Rosa Rodríguez  
PR Bar No. 16819  
Assistant Attorney General  
Antitrust Division  
Puerto Rico Department of Justice  
P.O. Box 9020192  
San Juan, Puerto Rico 00902-0192  
Tel: (787) 721-2900, ext. 2600, 2601  
Fax: (787) 721-3223  
jorosa@justicia.pr.gov

*Counsel for the Commonwealth of Puerto Rico*

/s/ Mark L. Johnson

Mark L. Johnson (#0345520)  
Virginia R. McCalmont (#0399496)  
GREENE ESPEL PLLP  
222 South Ninth Street, Suite 2200  
Minneapolis, MN 55402  
(612) 373-0830  
mjohnson@greenespel.com  
vmccalmont@greenespel.com

Daniel Laytin, P.C. (*pro hac vice*)  
Christa Cottrell, P.C. (*pro hac vice*)  
Christina Briesacher (*pro hac vice*)  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, IL 60654  
(312) 861-2000  
daniel.laytin@kirkland.com  
christa.cottrell@kirkland.com  
christina.briesacher@kirkland.com

***Counsel for Clemens Food Group, LLC  
and The Clemens Family Corporation***

/s/ Richard A. Duncan

Richard A. Duncan (#0192983)  
Aaron D. Van Oort (#0315539)  
Craig S. Coleman (#0325491)  
Emily E. Chow (#0388239)  
Isaac B. Hall (#0395398)  
Bryan K. Washburn (#0397733)  
FAEGRE DRINKER BIDDLE &  
REATH LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402-3901  
(612) 766-7000  
richard.duncan@faegredrinker.com  
aaron.vanoort@faegredrinker.com  
craig.coleman@faegredrinker.com  
emily.chow@faegredrinker.com  
isaac.hall@faegredrinker.com  
bryan.washburn@faegredrinker.com

***Counsel for Hormel Foods Corporation  
and Hormel Foods, LLC***

/s/ Donald G. Heeman

Donald G. Heeman (#0286023)  
Jessica J. Nelson (#0347358)  
Randi J. Winter (#0391354)  
SPENCER FANE LLP  
100 South Fifth Street, Suite 2500  
Minneapolis, MN 55402  
(612) 268-7000  
dheeman@spencerfane.com  
jnelson@spencerfane.com  
rwinter@spencerfane.com

Stephen R. Neuwirth (*pro hac vice*)  
Michael B. Carlinsky (*pro hac vice*)  
Sami H. Rashid (*pro hac vice*)  
Richard T. Vagas (*pro hac vice*)  
David B. Adler (*pro hac vice*)  
QUINN EMANUEL URQUHART &  
SULLIVAN, LLP  
51 Madison Avenue, 22nd Floor  
New York, NY 10010  
(212) 849-7000  
stephenneuwirth@quinnmanuel.com  
michaelcarlinsky@quinnmanuel.com  
samirashid@quinnmanuel.com  
richardvagas@quinnmanuel.com  
davidadler@quinnmanuel.com

/s/ William L. Greene

William L. Greene (#0198730)  
Peter J. Schwingler (#0388909)  
Jon M. Woodruff (#0399453)  
STINSON LLP  
50 South Sixth Street, Suite 2600  
Minneapolis, MN 55402  
(612) 335-1500  
william.greene@stinson.com  
peter.schwingler@stinson.com  
john.woodruff@stinson.com

J. Nicci Warr (*pro hac vice*)  
STINSON LLP  
7700 Forsyth Blvd., Suite 1100  
St. Louis, MO 63105  
(314) 863-0800  
nicci.warr@stinson.com

***Counsel for Seaboard Foods LLC and  
Seaboard Corporation***

***Counsel for JBS USA Food Company***

/s/ John A. Cotter

---

John A. Cotter (#0134296)  
John A. Kvinge (#0392303)  
LARKIN HOFFMAN DALY &  
LINDGREN LTD.  
8300 Norman Center Drive, Suite 1000  
Minneapolis, MN 55427-1060  
(952) 835-3800  
jcotter@larkinhoffman.com  
jkvinge@larkinhoffman.com

Richard Parker (*pro hac vice*)  
Josh Lipton (*pro hac vice*)  
GIBSON, DUNN & CRUTCHER, LLP  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5306  
(202) 955-8500  
rparker@gibsondunn.com  
jlipton@gibsondunn.com

Brian Robison (*pro hac vice*)  
GIBSON, DUNN & CRUTCHER, LLP  
2001 Ross Avenue, Suite 2100  
Dallas, TX 75201-6912  
(214) 698-3370  
brobison@gibsondunn.com

*Counsel for Smithfield Foods, Inc.*

/s/ Gene Summerlin

---

Gene Summerlin (*pro hac vice*)  
Aaron Chapin (#06292540)  
Marnie Jensen (*pro hac vice*)  
Ryann Glenn (*pro hac vice*)  
Kamron Hasan (*pro hac vice*)  
Sierra Faler (*pro hac vice*)  
HUSCH BLACKWELL LLP  
13330 California St., Suite 200  
Omaha, NE 68154  
(402) 964-5000  
gene.summerlin@huschblackwell.com  
marnie.jensen@huschblackwell.com  
ryann.glen@huschblackwell.com  
kamron.hasan@huschblackwell.com  
sierra.faler@huschblackwell.com

*Counsel for Triumph Foods, LLC*

/s/ David P. Graham

David P. Graham (#0185462)  
DYKEMA GOSSETT PLLC  
4000 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612) 486-1521  
dgraham@dykema.com

Rachel J. Adcox (*pro hac vice*)  
Tiffany Rider Rohrbaugh (*pro hac vice*)  
AXINN, VELTROP &  
HARKRIDER LLP  
950 F Street, N.W.  
Washington, D.C. 20004  
(202) 912-4700  
radcox@axinn.com  
trider@axinn.com

***Counsel for Tyson Foods, Inc., Tyson Prepared Foods, Inc. and Tyson Fresh Meats, Inc.***

/s/ Peter H. Walsh

Peter H. Walsh (#0388672)  
HOGAN LOVELLS US LLP  
80 South Eighth Street, Suite 1225  
Minneapolis, MN 55402  
T. (612) 402-3000  
F. (612) 402-3001  
peter.walsh@hoganlovells.com

William L. Monts (*pro hac vice*)  
Justin W. Bernick (*pro hac vice*)  
HOGAN LOVELLS US LLP  
Columbia Square  
555 Thirteenth Street, NW  
Washington, D.C. 20004  
(202) 637-5600  
william.monts@hoganlovells.com  
justin.bernick@hoganlovells.com

***Counsel for Agri Stats, Inc.***